

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,)
versus)
RITA COSBY and HACHETTE BOOK)
GROUP USA, INC. d/b/a Grand Central)
Publishing, and JOHN OR JANE DOE,)
Defendants.)

Plaintiff,)
)

AFFIDAVIT OF
ELIZABETH A.
MCNAMARA IN SUPPORT
OF RITA COSBY'S
OPPOSITION TO
PLAINTIFF'S MOTION
FOR EXPEDITED
DISCOVERY

STATE OF NEW YORK)
) S.S.:
COUNTY OF NEW YORK)

ELIZABETH A. McNAMARA, being duly sworn, deposes and says:

1. I am a partner in the law firm of Davis Wright Tremaine LLP, counsel for defendant Rita Cosby. I make this affidavit on personal knowledge.

2. On October 22, 2007, a Mac-Certified engineer from Kroll On Track Data Recovery Services made a forensic image of the hard-drive of Ms. Cosby's computer. On October 23, 2007, the duplicate hard-drive was delivered by Kroll On Track to my colleague Elisa Miller. The duplicate hard-drive is being retained at our offices.

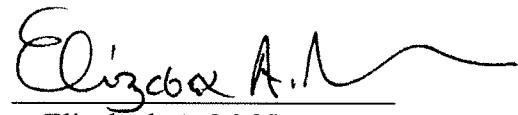
3. On October 24, 2007, DWT received from Ms. Cosby all original hard copies of documents in her posession, including audio and video recordings, that relate to *Blonde Ambition*, her investigation into Anna Nicole Smith's death, and the allegations made in Plaintiff's Complaint and Motion.

4. Attached hereto as Exhibit A is a true and correct copy of a transcript of an audiotaped conversation between Rita Cosby and a third party, Lincoln Bain, that was

aired by Fox News on "On The Record with Greta Van Susteren" on October 15, 2007 and on Access Hollywood on October 14, 2007.

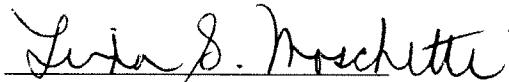
5. My colleague Elisa Miller created the transcript of the Broadcast by viewing the Broadcast on www.foxnews.com/story/0,2933,302276,00.html, and <http://www.accesshollywood.com/celebrities/ah7079.shtml>.

6. I have no personal knowledge of the Broadcast or the audiotaped conversation between Cosby and Bain that aired during the Broadcast other than having viewed the Broadcasts on the websites noted above and reviewing my colleague's transcript of the tape. I intend to gain personal knowledge of the tape as we go forward in this action.



Elizabeth A. McNamara

Sworn before me this
24th day of October, 2007



Linda G. Moschetti
Notary Public

LINDA G. MOSCHETTI
Notary Public, State of New York
No. 01MO4723235
Qualified in Bronx County
Term Expires August 31, 2010